

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 7, 2003

D040801 Eation v. Metabolife International, Inc.

Upon written stipulation filed by the parties, the appeal is dismissed.

D040223 In re Thomas B., a Juvenile

The juvenile court's order is affirmed. O'Rourke, J.; We Concur: Benke, Acting P.J., Aaron, J.

D041892 Chalmers v. Castro et al.

The appeal is dismissed pursuant to California Rules of Court, rule 8.

D040110 Realmuto v. Gagnard et al.

The judgment is affirmed. Respondents are entitled to costs on appeal. CERTIFIED FOR PUBLICATION. Aaron, J.; We Concur: McIntyre, Acting P.J., O'Rourke, J.

D041800 In re Thomas on Habeas Corpus

The petition is denied without prejudice to refiling in the superior court.

D041959 In re Phillips on Habeas Corpus

The petition is denied.

D039932 Tarpy v. County of San Diego et al.

The judgment is affirmed. CERTIFIED FOR PUBLICATION. McIntyre, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.

D041143 Retana v. Superior Court of San Diego County/Bennett et al.

The petition is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 8, 2003

D039935 People v. Torres

The judgment is affirmed. McIntyre, Acting P.J.; We Concur: O'Rourke, J., Aaron, J.

D040553 People v. Rio

The judgment is affirmed. O'Rourke, J.; We Concur: Benke, Acting P.J., Aaron, J.

D040999 In re Fabian N., a Juvenile

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

D041409 In re Anthony H., a Juvenile

Affirmed. Huffman, J.; We Concur: Benke, Acting P.J., Aaron, J.

D039298 People v. Magana

The true findings on the section 186.22, subdivision (b)(1) enhancements allegations are reversed. In all other respects, the judgment is affirmed. The matter is remanded for further proceedings consistent with this opinion. Huffman, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.

D040068 People v. Dears

The judgment is affirmed. Benke, Acting P.J.; We Concur: Huffman, J., O'Rourke, J.

D041138 Patterson v. Cal Soft Water Service, Inc./American Water Investments, LLC et al.

The judgment is reversed. The superior court is directed to vacate and set aside the judgment and dismiss the action with prejudice. The remittitur is to issue immediately. The parties shall bear their own costs on appeal. McDonald, J.; We Concur: Nares, Acting P.J., O'Rourke, J.

D041557 In re Rayshawn P., a Juvenile

The judgment is affirmed. Benke, Acting P.J.; We Concur: Huffman, J., McDonald, J.

D041555 In re Shakir H., a Juvenile

The jurisdictional and disposition orders of December 19, 2002, are affirmed. McDonald, J.
We Concur: Benke, Acting P.J., McIntyre, J.

**D042267 Daniel F. v. Superio Court of San Diego County/San Diego County Health and
Human Services Agency**

The attorney for petitioner Daniel F. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D040127 People v. Nathan

The judgment is affirmed. O'Rourke, J.; We Concur: Benke, Acting P.J., Aaron, J.

D040688 People v. Wade

The conviction for grand theft and the true finding on the attendant section 12022.6, subdivision (a)(1) enhancement are reversed. The judgment in all other respects is affirmed. McDonald, J.;
We Concur: Benke, Acting P.J., O'Rourke, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 8, 2003 (continued)

D041723 Simmons et al. v. City of San Marco et al.

The appeal is dismissed.

D042376 Jamil v. Superior Court of San Diego County/Shayota et al.

The petition is denied.

D041894 In re Bell on Habeas Corpus

The petition is denied.

D036167 Whispering Ridge Homeowners Association v. Chaudry

The judgment is affirmed. Association is awarded \$9,884 against Chaudry for attorney fees on appeal.
Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D041957 In re Hopson on Habeas Corpus

The petition is denied.

D041798 In re Didyavong on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 9, 2003

D041455 People v. Shigeishi

The judgment is affirmed. Benke, Acting P.J.; We Concur: Huffman, J., O'Rourke, J.

D041267 In re the Marriage of Bacon

Upon filing a written abandonment of appeal, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 20(c)(2)).

D040777 Loya v. Metabolife International, Inc.

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 20(c)(2)). Each party to bear own costs on appeal.

D041630 In re Kassandra R., a Juvenile

The order is affirmed. McDonald, J.; We Concur: Benke, Acting P.J., Nares, J.

D042228 Luis D. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Luis D. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D042340 Olga M. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Olga M. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D040626 People v. Phillips

The petition for rehearing is denied.

D041238 People v. Coffelt

The judgment is affirmed. Benke, Acting P.J.; We Concur: Huffman, J., O'Rourke, J.

D040624 People v. Collins

The order denying Roger Thomas Collin's petition for conditional release under Welfare & Institutions Code section 6608 is reversed. The superior court is directed to set the matter for a hearing on the petition in accordance with section 6608. CERTIFIED FOR PUBLICATION. O'Rourke, J.; We Concur: Kremer, P.J., Benke, J.

D042145 In re Thomas G., a Juvenile

The appeal is dismissed.

D041973 In re Henderson on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 10, 2003

D041831 Judy J. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied. McDonald, J.; We Concur: Nares, Acting P.J., O'Rourke, J.

D041892 Chalmers v. Castro et al.

The appeal dismissed on July 7, 2003, is reinstated.

D042372 Thompson v. Superior Court of Imperial County/People

The petition is denied.

D040969 People v. Latham

Judgment affirmed. Haller, J.; We Concur: Huffman, Acting P.J., McDonald, J.

D040057 Simmons v. City of San Diego et al./Centre City Development Corp.

The request for publication is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 11, 2003

D041123 In re Windy G., a Juvenile

The judgment is affirmed. O'Rourke, J.; We Concur: Huffman, Acting P.J., Nares, J.

D042050 Lindsay H. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied. McDonald, J.; We Concur: Nares, Acting P.J., O'Rourke, J.

D040694 People v. Guzman

The judgment is affirmed. O'Rourke, J.; We Concur: Huffman, Acting P.J., McDonald, J.

Christopher D. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

By failing to file a timely petition for writ relief, the notice of intent is deemed to be abandoned. The case is dismissed.

D040465 Picco et al. v. Marmor et al.

The trial court's order denying the anti-SLAPP motion is affirmed. Respondents are entitled to costs on appeal. Aaron, J.; We Concur: Haller, Acting P.J., McDonald, J.

D041057 People v. Page

The judgment is affirmed. Nares, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.

D042231 Laforal K. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Laforal K. has notified the court on behalf of the petitioner that a petition for writ of mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D041598 In re Devin T., a Juvenile

The judgment is affirmed. Kremer, P.J.; We Concur: Huffman, J., McIntyre, J.

D039332 People v. Englebrecht

The trial court's order denying attorney fees pursuant to section 1021.5 is reversed. The matter is remanded to the trial court for a determination of the fees to be awarded for those issues upon which appellant prevailed. Benke, J.; We Concur: Kremer, P.J., Haller, J.

D042438 In re Carr on Habeas Corpus

The petition is denied without prejudice to refile in San Diego County Superior Court.

D041986 Rodriguez v. Workers' Compensation Appeals Board, State Compensation Insurance Fund and LOMCO

The petition is denied.

D041971 In re Acosta on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 11, 2003 (Continued)

D040052 People v. Hansen

D040246 People v. Hansen

The above cases are consolidated for disposition.

D041701 In re Tyler C., a Juvenile

The judgment is affirmed. Nares, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.